

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION**

IN RE:

**CAH ACQUISITION COMPANY 6, LLC
d/b/a I-70 COMMUNITY HOSPITAL,**

Debtor.

Case No. 19-01300-5-JNC

Chapter 11

**APPLICATION FOR EMPLOYMENT OF TRACY FIELD AND
PARKER HUDSON RAINER & DOBBS, LLP
AS SPECIAL COUNSEL, *NUNC PRO TUNC***

Pursuant to the provisions of §§ 327(e) and 329 of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure, Thomas W. Waldrep, Jr., Chapter 11 Trustee (the “Trustee”), by and through his undersigned counsel of record hereby makes application for an Order approving the employment of Tracy Fields and the firm of Parker Hudson Rainer & Dobbs, LLP (“Ms. Fields”) as special counsel, *nunc pro tunc* to May 3, 2019 and in support of said Application shows unto the Court as follows:

1. The Debtor filed a petition under Chapter 11 of the United States Bankruptcy Code on March 21, 2019. An Order appointing Thomas W. Waldrep, Jr. as Chapter 11 Trustee was entered on March 29, 2019.
2. The Trustee seeks to employ Ms. Fields and her firm, *nunc pro tunc* to May 3, 2019 to represent the Estate with respect to all regulatory issues involving the Centers for Medicare and Medicaid Services (“CMS”), including the pending appeal involving the revocation of the Debtor’s provider number.
3. Neither Ms. Fields nor her firm hold or represent an interest adverse to the estate and are disinterested within the meaning of § 327(e) of the Bankruptcy Code.

4. Ms. Fields is willing to be compensated by the Estate for legal services at a rate of \$595.00 per hour, \$440.00 per hour for attorney Emily Shingler, \$310.00 per hour for attorney Ricardo Lopez and \$175.00 per hour for paralegal Heidi Bergmann. All fees shall be approved by the Court pursuant to the Bankruptcy Administrator's guidelines.

5. Ms. Fields, as evidenced by and through the attached affidavit, believes that she is qualified to serve as special counsel within the meaning of 11 U.S.C. § 327(e).

6. Pursuant to 11 U.S.C. § 327(e), the Trustee believes that the employment of Ms. Fields as special counsel is in the best interest of the Estate.

7. The Bankruptcy Court has jurisdiction over this matter pursuant to 28 USC §§ 1334, 151, 157, and this matter is a core proceeding pursuant to 28 USC § 157.

WHEREFORE, the Trustee prays unto the Court as follows:

1. That the Court enter an Order authorizing the Debtor to employ Tracy Fields and the firm of Parker Hudson Rainer & Dobbs, LLP as special counsel *nunc pro tunc* to May 3, 2019 for the Debtor to render the necessary legal services described herein;

2. That Ms. Fields be compensated at a rate of \$595.00 per hour, \$440.00 per hour for attorney Emily Shingler, \$310.00 per hour for attorney Ricardo Lopez and \$175.00 per hour for paralegal Heidi Bergmann after approval by the Court pursuant to the Bankruptcy Administrator's guidelines; and

3. For such other and further relief as the Court may deem just and proper.

DATED: May 23, 2019

WALDREP LLP

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC Bar No. 39871)

Francisco T. Morales (NC Bar No. 43079)

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- and -

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AFFIDAVIT

I, Tracy Field, being first duly sworn, say:

1. I am licensed to practice law in the State of Georgia and North Carolina and am a Partner at Parker Hudson Rainer & Dobbs, LLP located at 303 Peachtree Street NE, Suite 3600, Atlanta, GA 30308.

2. I, Tracy Field and Parker Hudson Rainer & Dobbs, LLP wish to be employed by the Debtor as special counsel with respect to the specific tasks as listed in the Application to Employ our firm filed herewith.

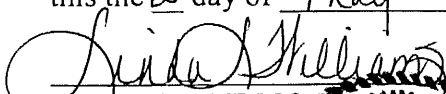
3. Neither I nor my firm, represent or hold an interest adverse to the estate, and are disinterested as special counsel within the meaning of Section 327(e) of the Bankruptcy Code.

I declare under penalty of perjury that the foregoing is true and correct.

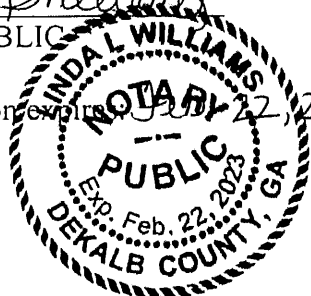
DATED: May 23, 2019


Tracy M. Field
Parker Hudson Rainer & Dobbs, LLP
303 Peachtree Street NE, Suite 3600
Atlanta, GA 30308
Telephone: (404) 523-5300
Email: tfield@phrd.com

Sworn to and subscribed before me,
this the 23rd day of May, 2019.


NOTARY PUBLIC

My commission expires July 22, 2023



CERTIFICATE OF SERVICE

The undersigned does hereby certify that copies of the foregoing APPLICATION FOR EMPLOYMENT OF TRACY FIELDS AND PARKER HUDSON RANIER & DOBBS, LLP AS SPECIAL COUNSEL, *NUNC PRO TUNC* have been served upon each of the parties listed below either electronically or via U.S. Mail First Class Mail.

This the 23rd day of May, 2019.

WALDREP LLP

/s/ Thomas W. Waldrep, Jr. _____

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC Bar No. 39871)

Francisco T. Morales (NC Bar No. 43079)

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Office of the Bankruptcy Administrator
Via CM/ECF

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Counsel for the Debtor
Via CM/ECF